

DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I declare that:

My residence, post office address and citizenship are as stated below next to my name; I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural inventors are named below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

C3 PLANTS EXPRESSING PHOTOSYNTHETIC ENZYME OF C4 PLANTS

the specification of which:

X is attached hereto or

_____ was filed on _____ as Application No. _____ and was amended on _____ (if applicable).

I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, Section 1.56. I claim foreign priority benefits under Title 35, United States Code Section 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)

Country	Application No.	Date of Filing	Priority Claimed Under 35 USC 119
Japan	9-056742	March 11, 1997	Yes <u>X</u> No _
			Yes _ No _
			Yes _ No _
			Yes _ No _

I claim the benefit under Title 35, United States Code, Section 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, Section 1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

Application No.	Date of Filing	Status
		_ Patented _ Pending _ Abandoned
		_ Patented _ Pending _ Abandoned
		_ Patented _ Pending _ Abandoned
		_ Patented _ Pending _ Abandoned
		_ Patented _ Pending _ Abandoned

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

Randolph T. Apple, Reg. No. 36,429
 Kevin L. Bastian, Reg. No. 34,774
 Tom Hunter, Reg. No. 38,498
 William B. Kezer, Reg. No. 37,369
 Joe Liebeschuetz, Reg. No. 37,505
 John R. Storella, Reg. No. 32,944
 Timothy L. Smith, Reg. No. 35,367
 William M. Smith, Reg. No. 30,223
 Eugenia Garrett-Wackowski, Reg. No. 37,330

Send Correspondence to: William M. Smith TOWNSEND and TOWNSEND and CREW LLP Two Embarcadero Center, 8th Floor San Francisco, CA 94111-3834	Direct Telephone Calls to: (Name, Reg. No., Telephone No.) Name: William M. Smith Reg. No.: 30,223 Telephone: (415) 576-0200
--	--

Full Name of Inventor 1	Last Name MATSUOKA	First Name Makoto	Middle Name or Initial	
Residence & Citizenship	City Nagoya-shi,	State/Foreign Country Aichi Japan	Country of Citizenship Japan	
Post Office Address	Post Office Address 3-252, Shinonokaze, Midori-ku,	City Nagoya-shi, Aichi	State/Country Japan	Zip Code
Full Name of Inventor 2	Last Name TOKUTOMI	First Name Mitsue	Middle Name or Initial	
Residence & Citizenship	City Tsukuba-shi,	State/Foreign Country Ibaraki Japan	Country of Citizenship Japan	
Post Office Address	Post Office Address 2-1-2, Azuma,	City Tsukuba-shi, Ibaraki	State/Country Japan	Zip Code
Full Name of Inventor 3	Last Name TOKI	First Name Seiichi	Middle Name or Initial	
Residence & Citizenship	City Tsukuba-shi,	State/Foreign Country Ibaraki Japan	Country of Citizenship Japan	
Post Office Address	Post Office Address 2-14, Namiki,	City Tsukuba-shi, Ibaraki	State/Country Japan	Zip Code
Full Name of Inventor 4	Last Name Sun-Ben Ku	First Name Maurice	Middle Name or Initial	
Residence & Citizenship	City Pullman,	State/Foreign Country Washington	Country of Citizenship U.S.A.	
Post Office Address	Post Office Address 808, S.E.Edge, Knoll Street,	City Pullman,	State/Country Washington	Zip Code 99163

Full Name of Inventor 5	Last Name	First Name	Middle Name or Initial	
Residence & Citizenship	City	State/Foreign Country	Country of Citizenship	
Post Office Address	Post Office Address	City	State/Country	Zip Code
Full Name of Inventor 6	Last Name	First Name	Middle Name or Initial	
Residence & Citizenship	City	State/Foreign Country	Country of Citizenship	
Post Office Address	Post Office Address	City	State/Country	Zip Code
Full Name of Inventor 7	Last Name	First Name	Middle Name or Initial	
Residence & Citizenship	City	State/Foreign Country	Country of Citizenship	
Post Office Address	Post Office Address	City	State/Country	Zip Code

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Signature of Inventor 1 <i>Yukoto Matsuo</i>	Signature of Inventor 2 <i>Mitsune Tokutomi</i>	Signature of Inventor 3 <i>Seiichi Toki</i>
Date December 11, 1997	Date December 11, 1997	Date December 11, 1997
Signature of Inventor 4 <i>Yuzume Sun-Ben Ku</i>	Signature of Inventor 5	Signature of Inventor 6
Date December 11, 1997	Date	Date
Signature of Inventor 7		
Date		



PTAS

TOWNSEND AND TOWNSEND AND CREW LLP
WILLIAM M. SMITH
TWO EMBARCADERO CENTER, 8TH FLOOR
SAN FRANCISCO, CALIFORNIA 94111-3834



100623879A

UNITED STATES PATENT AND TRADEMARK OFFICE
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, NORTH TOWER BUILDING, SUITE 10C35, WASHINGTON, D.C. 20231.

RECORDATION DATE: 01/05/1998

REEL/FRAME: 8923/0133

NUMBER OF PAGES: 5

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

MATSUOKA, MAKOTO

DOC DATE: 12/11/1997

ASSIGNOR:

TOKUTOMI, MITSUE

DOC DATE: 12/11/1997

ASSIGNOR:

TOKI, SEIICHI

DOC DATE: 12/11/1997

ASSIGNOR:

KU, MAURICE SUN-BEN

DOC DATE: 12/11/1997

ASSIGNEE:

NATIONAL INSTITUTE OF AGROBIOLOGICAL RESOURCES MINISTRY OF
AGRICULTURE, FORESTRY AND FISHERIES
2-1-2, KANNONDAI, TSUKUBA-SHI
IBARAKI, JAPAN 305

SERIAL NUMBER: 09003072

FILING DATE:

PATENT NUMBER:

ISSUE DATE:

8923/0133 PAGE 2

STEVEN POST, EXAMINER
ASSIGNMENT DIVISION
OFFICE OF PUBLIC RECORDS



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
ASSISTANT SECRETARY AND COMMISSIONER
OF PATENTS AND TRADEMARKS
Washington, D.C. 20231



100623879B

AUTHORIZATION TO CHARGE ADDITIONAL FEES TO DEPOSIT ACCOUNT

MARCH 13, 1998

TO: OFFICE OF FINANCE
FROM: ASSIGNMENT DIVISION
OFFICE OF PUBLIC RECORDS
SUBJECT: DEPOSIT ACCOUNT CHARGE(S)

CHARGE THE DEPOSIT ACCOUNT LISTED BELOW ADDITIONAL FEE(S) AS INDICATED BELOW. AUTHORIZATION TO CHARGE ADDITIONAL FEES HAS BEEN PROVIDED PER THE ATTACHED COVER SHEET, OR BY DIRECT CONTACT WITH THE CUSTOMER.

DEPOSIT ACCOUNT NUMBER: 201430
PROPERTY NUMBER: 09003072

RECORDING FEES:

FEE CODE: 581 AMOUNT: 40

IF YOU HAVE ANY QUESTIONS REGARDING THIS NOTICE, YOU MAY CONTACT THE INDIVIDUAL WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723.

STEVEN POST, EXAMINER
ASSIGNMENT DIVISION
OFFICE OF PUBLIC RECORDS

TRADEMARK SERVICE FEES:	FEE CODE:
RECORDING FIRST MARK	481
RECORDATION SECOND AND SUBSEQUENT MARK IN SAME DOCUMENT	482
LABOR CHARGES FOR SERVICES PER HOURS OR FRACTION THEREOF	484
UNSPECIFIED OTHER SERVICES	485

PATENT SERVICE FEES:

RECORDING EACH PATENT ASSIGNMENT, 581

AGREEMENT, OTHER PAPER, PER PROPERTY	
LABOR CHARGES FOR SERVICES PER HOUR	584
(\$30) OR FRACTION THEREOF	
UNSPECIFIED OTHER SERVICES	585

02-04-1598

Docket No. 85761-000000

DEPARTMENT OF COMMERCE
Patent and Trademark Office

100623879

Copy thereof.

To the Honorable Asst. Commissioner for Patents. Please re

1. Name of conveying party(ies):

Makoto Matsuoka

MHD 1-5-98

Additional name(s) of conveying party(ies) attached? ☒ Yes☐ No

2. Name and address of receiving party(ies):

Name: National Institute of Agrobiological Resources
Ministry of Agriculture, Forestry and Fisheries

Street Address: 2-1-2, Kannondai, Tsukuba-shi

City: Ibaraki Country: Japan ZIP: 305

Additional name(s) & address(es) attached? ☐ Yes☒ No

3. Nature of conveyance:



Assignment



Merger



Security Agreement



Change of Name



Other:

Execution Date: December 11, 1997

4. Application number(s) or patent number(s).

If this document is being filed together with a new application, the execution date of the application is: December 11, 1997

A. Patent Application No.(s)

B. Patent No.(s)

09/003,072

Additional numbers attached?



Yes



No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: William M. Smith
TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, 8th Floor
San Francisco, California 94111-3834
(650) 326-2400

6. Total number of applications and patents involved: 1

7. Total fee (37 CFR 3.41):..... \$ 40.00



Enclosed



Charge Fees to Deposit Account



Charge any additional fees associated with this paper or during the pendency of this application, or credit any overpayment, to deposit account

8. Deposit account number: 20-1430

DO NOT USE THIS SPACE

chg 40

9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

William M. Smith

Name of Person Signing

Signature

January 5, 1997

Date

Atty. Reg. No. 30,223

Total number of pages including cover sheet, attachments, and document:

5

OMB No. 0651-0011 (exp. 4/94)

Mail documents to be recorded with required cover sheet information to:

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Asst. Commissioner for Patents
Box Assignments
Washington, D.C. 20231

1. Additional name(s) of conveying party(ies):
(Continued from Page 1)

Mitsue Tokutomi
Seiichi Toki
Maurice Sun-Ben Ku

2. Additional name(s) and address(es) of receiving party(ies):
(Continued from Page 1)

4. Additional application number(s) or patent number(s):
(Continued from Page 1)

A. Patent Application No.(s)

B. Patent No.(s)

ASSIGNMENT

WHEREAS, The ASSIGNOR, comprising the following named inventor(s):

1. Makoto MATSUOKA; 3-252, Shinonokaze, Midori-ku,
Nagoya-shi, Aichi Japan
2. Mitsue TOKUTOMI; 2-1-2, Azuma, Tsukuba-shi,
Ibaraki Japan
3. Seiichi TOKI; 2-14, Namiki, Tsukuba-shi,
Ibaraki Japan
4. Maurice Sun-Ben Ku; 808, S.E.Edge, Knoll Street,
Pullman, Washington 99163 U.S.A.

has invented and owns a certain invention entitled:

C3 PLANTS EXPRESSING PHOTOSYNTHETIC ENZYME OF C4
PLANTS

for which application for Letters Patent of the United
States was executed on even date herewith,
and

WHEREAS, the ASSIGNEE:

National Institute of Agrobiological Resources
Ministry of Agriculture, Forestry and Fisheries
2-1-2, Kannondai, Tsukuba-shi, Ibaraki 305 Japan

is desirous of acquiring the entire interest in, to and
under said invention and the United States Letters Patent
to be obtained therefor;

NOW, THEREFORE, TO ALL WHOM IT MAY CONCERN: Be it
known that in consideration of the payment by ASSIGNEE to
ASSIGNOR of the sum corresponding to One Dollar (\$1.00),
the receipt of which is hereby acknowledged, and for
other good and valuable consideration, ASSIGNOR hereby

sells, assigns and transfers to ASSIGNEE the full and exclusive right, title and interest to said invention and all Letters Patent of the United States to be obtained therefor on said application or any continuation, division, renewal, substitute or reissue thereof for the full term or terms for which the same may be granted.

ASSIGNOR hereby covenants that no assignment sale agreement charge or other encumbrance has been or will be entered into which would conflict with this assignment and sale;

ASSIGNOR further covenants that ASSIGNEE will, upon its request, be provided promptly with all pertinent facts and documents relating to said application, said invention and said Letters Patent as may be known and accessible to ASSIGNOR and will testify as to the same in any interference or litigation related thereto and will promptly execute and deliver to ASSIGNEE or its legal representative any and all papers, instruments or affidavits required to apply for, obtain, maintain and enforce said application, said invention and said Letters Patent which may be necessary or desirable to carry out the purposes hereof.

IN WITNESS WHEREOF, the parties have hereunto set their hands and seal

this 11th day of December, 1997.

1. Makoto Matsuoka
(Makoto MATSUOKA)

2. Mitsue Tokutomi
(Mitsue TOKUTOMI)

3. Seiichi Toki
(Seiichi TOKI)

4. Maurice Sun-Ben Ku
(Maurice Sun-Ben Ku)



✓085761-00000005
085761-0-000000 PK5

MAY 01, 2002

PTAS
TOWNSEND AND TOWNSEND AND CREW LLP
PETER SEPERACK
TWO EMBARCADERO CENTER, 8TH FLOOR
SAN FRANCISCO, CA 94111-3834

Commissioner for Trademarks
Arlington, VA 22202-3513
www.uspto.gov



102008435A

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PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 02/21/2002

REEL/FRAME: 012644/0115
NUMBER OF PAGES: 23

BRIEF: MERGER (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

DIRECTOR GENERAL OF NATIONAL
INSTITUTE OF AGROBIOLOGICAL
RESOURCES, MINISTRY OF
AGRICULTURE, FORESTRY AND
FISHERIES

DOC DATE: 04/26/2001

ASSIGNEE:

NATIONAL INSTITUTE OF
AGROBIOLOGICAL SCIENCES
2-1-2, KANNONDAI, TSUKUBA-SHI
IBARAKI, JAPAN 305-8602

SERIAL NUMBER: 08805813
PATENT NUMBER:

FILING DATE: 02/26/1997
ISSUE DATE:

SERIAL NUMBER: 09003072
PATENT NUMBER:

FILING DATE: 01/05/1998
ISSUE DATE:

SERIAL NUMBER: 09560780
PATENT NUMBER:

FILING DATE: 04/28/2000
ISSUE DATE:

012644/0115 PAGE 2

SERIAL NUMBER: 09564086
PATENT NUMBER:

FILING DATE: 05/03/2000
ISSUE DATE:

SERIAL NUMBER: 09192056
PATENT NUMBER:

FILING DATE: 11/13/1998
ISSUE DATE:

SERIAL NUMBER: 09325819
PATENT NUMBER:

FILING DATE: 06/04/1999
ISSUE DATE:

SERIAL NUMBER: 09741227
PATENT NUMBER:

FILING DATE: 12/19/2000
ISSUE DATE:

SERIAL NUMBER: 09841787
PATENT NUMBER:

FILING DATE: 04/24/2001
ISSUE DATE:

PAULA MCCRAY, EXAMINER
ASSIGNMENT DIVISION
OFFICE OF PUBLIC RECORDS

Form PTO-1595
(Rev. 03-01)
OMB No. 0651-0027 (exp. 5/31/2002)

MRD
2/21/2

03-11-2002



Sheet

U.S. Department of Commerce
U.S. Patent and Trademark Office

Tab settings ⇐ ⇐ ⇐ ▼

102008435

To the Honorable Commissioner of Patents and Trademarks, U.S. Department of Commerce, the attached original documents or copy thereof

1. Name of conveying party(ies):

Director General of National Institute of Agrobiological
Resources, Ministry of Agriculture, Forestry and
Fisheries

Additional name(s) of conveying parties attached? ☐ Yes ☒ No.

3. Nature of conveyance:

- ☐ Assignment ☒ Merger
☐ Security Agreement ☐ Change of Name
☐ Other: _____

Execution Date: April 26, 2001

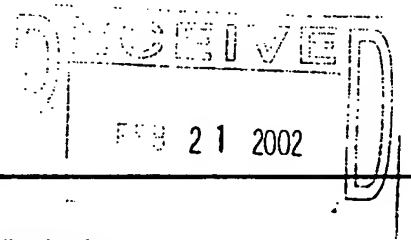
2. Name and address of receiving party(ies)

Name: National Institute of Agrobiological Sciences

Street Address: 2-1-2, Kannondai, Tsukuba-shi

City: Ibaraki Country: Japan ZIP: 305-8602

Additional names and addresses attached? ☐ Yes ☒ No



4. Application number(s) or patent number(s).

If this document is being filed together with a new application, the execution date of the application is: _____

A. Patent Application No(s): 08/805,813

B. Patent No(s):

Additional numbers attached? ☒ Yes ☐ No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Peter Seperack
TOWNSEND AND TOWNSEND AND CREW LLP
Two Embarcadero Center, 8th Floor
San Francisco, California 94111-3834
(415) 576-0200

6. Total number of applications and patents involved 8

7. Total fee (37 CFR 3.41): \$320.00

- ☐ Enclosed
☒ Authorized to be charged to deposit account

8. Deposit account number: 20-1430

(Attach duplicate copy of this page if paying by deposit account)

03/08/2002 DBYRNE 00000035 201430 08805813
01 C:581 320.00 CH

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9. Statement and signature.

To the best of my knowledge and belief, the foregoing is true and correct and any attached copy is a true copy of the original document.

Peter Seperack
Name of Person Signing
Atty. Reg. No. 47,932

Peter Seperack
Signature

2/5/02
Date

Total number of pages including cover sheet, attachments and document 22

Mail documents to be recorded with required cover t :
Commissioner of Patents and Trademarks, Box Assignments
Washington, D.C. 20231

1. Additional name(s) of conveying party(ies):
(Continued from Page 1)
2. Additional name(s) and address(es) of receiving party(ies):
(Continued from Page 1)
3. Additional application number(s) or patent number(s):
(Continued from Page 1)

A. Patent Application No.(s)

09/003,072
09/560,780
09/564,086
09/192,056
09/325,819
09/741,227
09/841,787

B. Patent No.(s)

Attachment A

**Director General of National Institute of Agrobiological Reserouces, Ministry of
Agriculture, Forestry and Fisheries/
National Institute of Agrobiological Sciences**

Attorney Docket Nos.	Application No.	Date Filed
085760-000000US	08/805,813	02/26/97
085761-000000US	09/003,072	01/05/98
085761-000510US	09/560,780	04/28/00
085762-000100US	09/564,086	05/03/00
085764-000000US	09/192,056	11/13/98
085765-000000US	09/325,819	06/04/99
085765-000100US	09/741,227	12/19/00
085765-000200US	09/841,787	04/24/01